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STANDING COMMITTEE **Law and National Security**
INTELLIGENCE REPORT

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Administration Reports on Soviet Arms Control Violations

On October 10, the administration released to Congress, pursuant to congressional amendments to the fiscal 1985 Defense Authorization Bill, a report on Soviet violations of treaties and declarations bearing on arms control and disarmament. The report was prepared by the bipartisan General Advisory Committee on Arms Control and Disarmament, which has been studying the subject for more than three years.

In an earlier report to Congress (January 23, 1984) on Soviet Non-Compliance with Arms Control Agreements, President Reagan said that:

> The United States Government has determined that the Soviet Union is violating:
> (1) The Geneva Protocol on Chemical Weapons,
> (2) The Biological Weapons Convention,
> (3) The Helsinki Final Act, and two provisions of SALT II,
> (4) telemetry encryption, and
> (5) a rule concerning ICBM modernization.
> In addition we have determined that the Soviet Union:
> (6) has almost certainly violated the ABM Treaty (SALT I),
> (7) probably violated the SALT II limit on new types (ICBMs),
> (8) probably violated the SS-16 deployment prohibition of SALT II,
> (9) and is likely to have violated the nuclear testing yield limit of the Threshold Test Ban Treaty.

The report which has just been released substantially increases the number of named violations—still holding in reserve a large number of violations which were not listed in the declassified version of the report given to Congress and the public.

In transmitting the report to Congress, President Reagan noted:

> The administration continues to be seriously concerned about Soviet behavior with regard to compliance with arms control obligations and commitments. We are actively pursuing several such issues in confidential discussions with the Soviet Union and are seeking explanations, clarifications, and corrective actions.

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Congress Moves to Tighten Anti-Terrorism Laws

In the closing days before the election recess, Congress moved on a number of fronts to combat the growth of international terrorism.

The moves to strengthen the anti-terrorist legislation on the books was initiated by Senator Jeremiah Denton (R-Ala.) last June when, at the behest of the administration, he introduced four separate pieces of legislation intended to deal with different aspects of the problem. One of these bills (S. 2325) authorized the attorney general or the secretary of state to pay substantial rewards to individuals who furnish important information on terrorist actions. The House was somewhat slower than the Senate to come to grips with the problem but, primarily on the initiative of Representative Dante Fascell (D-Fla.), the essence of the bill was repeated in a broader measure (H.R. 6311: the 1984 Act to Combat International Terrorism). This Act not only provided for the payment of rewards, but it also authorized the appropriation of $356,278,000 for the enhancement of security at U.S. diplomatic missions abroad, as requested by the Executive Branch during the last week of September, and urged the president to seek greater international cooperation in the war against terrorism.

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Soviet Arms Control Violations

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The 12 members of the president's General Advisory Committee on Arms Control and Disarmament (GAC) are:

- William R. Graham—physicist (chairman).
- Colin S. Gray—world renowned strategic analyst.
- Roland F. Herbst—defense analyst.
- Francis P. Hoeber—defense analyst.
- Robert B. Hotz—former editor of *Aviation Week and Space Technology*.
- Eli S. Jacobs—businessman.
- Charles Burton Marshall—foreign policy expert.
- Jaimie Oaxaca—businessman.
- John P. Roche—former defense policy adviser to President Johnson.
- Donald Rumsfeld—former secretary of defense, under President Ford.
- Harriet F. Scott—expert on Soviet military doctrine.
- Laurence H. Silberman—former U.S. ambassador to Yugoslavia and former deputy U.S. attorney general.

The report of the General Advisory Committee is the first comprehensive United States study of all Soviet practices under arms control obligations since World War II. It studied 26 documentary agreements along with numerous unilateral Soviet commitments. The committee noted that in most cases of alleged Soviet violations, the Soviets readily could have shown that the allegations were false—if they had been false. In summing up its findings, the committee said:

> The Committee has determined that the Soviet Union's practices related to about half of its documentary arms control commitments have raised no questions regarding compliance. Soviet practices related to the other half, however, show material breaches—violations, probable violations, or circumventions—of contractual obligations.

The areas of apparent Soviet compliance were confined to agreements where it was clearly in the Soviet interest to comply or where non-compliance involved no benefit or no important benefit to the Soviet Union—e.g., the Hot Line Agreement of 1963 (amended 1971), the Nonproliferation Treaty of 1968, the Convention on the Physical Protection of Nuclear Material (U.S.S.R. ratification 1983), the Antarctic Treaty of 1959, and the Outer Space Treaty of 1967.

Among the more serious charges made by the GAC report were the following:

- The Soviets had breached the unilateral commitment not to send offensive weapons to Cuba, thus precipitating the Cuban missile crisis of 1962.
- The Soviets had on numerous occasions violated the prohibitions contained in the Limited Test Ban Treaty of 1963 by testing underground nuclear devices that vented radioactive debris beyond the borders of the Soviet Union.
- In the settlement of the Cuban missile crisis, the U.S. had committed itself not to invade Cuba, in return for which the Soviet Union had committed itself not to base offensive weapons in Cuba. From 1970 to 1974, however, the Soviets had deployed and tended nuclear weapons submarines in Cuban waters.
- The Soviets had violated the Geneva Protocol of 1925 prohibiting the use of chemical and toxin weapons. This they had done by the transfer of such weapons to their Vietnamese clients for subsequent use in Southeast Asia and by the use of such weapons themselves in Afghanistan in the years 1980 to 1982. Similarly, the Soviet Union had violated the Biological Weapons Convention of 1972 by continuing to produce, store, transfer and use such weapons up to the present time.
- The Soviets have violated the Helsinki Final Act of 1975 by ignoring the provisions which called for advance notification to the other side before conducting exercises involving more than 25,000 troops.
- In March and May of 1982, President Brezhnev had unilaterally committed the Soviet Union to end the deployment of SS-20 missiles in the European part of the Soviet Union. Instead, the Soviet Union continued to construct missile sites and to deploy such missiles.
- The Soviet Union has systematically violated the provisions of the SALT I Interim Agreement barring the use of concealment and missile test encryption to impede verification of compliance by national technical means.
- The Soviet Union has failed to dismantle ICBM launchers as SLBM launchers became operational—as called for by the SALT I Interim Agreement.
- The Soviet Union has probably violated the SALT II Treaty of 1979 by continuing to produce and deploy SS-16 mobile ICBMs. (Although the SALT II Treaty has not been ratified, both sides claim to be observing it.) In addition, the Soviet Union has probably violated the clause of the SALT II agreement which permits each party to develop only one new type of ICBM.

According to leaks that have appeared in the press, the GAC report has been suppressed at least since November 1983 by administration members who apparently feared that publication of the report would void the possibility of reopening negotiations on arms control and disarmament. However, there had been heavy and persistent congressional pressure for the release of the information contained in the report. Both houses of Congress had by unanimous vote approved amendments demanding that the president release to Congress the report prepared by GAC.

Other administration advisers believed just as fervently that this information had to be brought to the attention of Congress and the American public if the United States is to embark on a course of action designed to

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Commentary

By John Garrard

Editor's Note: Winston Churchill once described a Soviet action as a mystery within a riddle wrapped in an enigma. His definition aptly describes the redefection to the Soviet Union of Oleg Bitov who defected to the West in Italy about a year ago. In the following commentary John Garrard, Sovietologist at the Wilson Center and Russian linguist, examines Bitov's defection and redefection drawing on many interviews others had with Bitov and his own personal encounter in London. We may never know Bitov's precise motivation but for those who would understand Soviet ways it is better than the New York Times' *crossword puzzle.*

On September 18, almost exactly one year after he disappeared in Italy while covering the Venice International Film Festival and was then granted political asylum by the British government, Soviet journalist Oleg Bitov declared at a Moscow news conference that he had not defected at all but had in fact been drugged and abducted by British agents. He insisted that he had merely pretended to cooperate, writing and speaking out critically of the Soviet Union so as to lull his captors into a false sense of security. When the time was ripe, Bitov claimed, he simply took a flight from London to Moscow to reveal the truth.

It seems to me that the Bitov case raises two separate issues. The first is: Was Bitov lying then, or is he lying now? The second issue (whether he returned voluntarily or was spirited back to Moscow against his will) is: Why are the Russians making such a fuss about a mid-level journalist, the former foreign culture editor of the weekly newspaper *Literaturnaya gazeta* (Literary Gazette)?

I

The evidence that Bitov returned voluntarily can be summed up very quickly: his own statement at the Moscow news conference. How should we evaluate this evidence?

During the news conference Bitov appeared to be "under strain," according to the correspondent of the London *Times*: "He spoke coolly and clearly from a prepared text and answered questions, but had a pasty complexion with signs of exhaustion around the eyes."

Bitov began by denying that his visit to Italy in September of 1983 had anything to do with Mehmet Ali Agca or the Bulgarian Sergei Antonov, now under arrest for possible complicity in Agca's attempt on the life of Pope John Paul II. The obvious sensitivity to this charge is interesting, as we will see later.

In spite of lurid descriptions of his alleged abduction and the details he provided about places and names (all couched in typical Soviet jargon), at no time did Bitov explain precisely how he "escaped" from England to Moscow; he declined to name the date or the airline. Nor has he or any Soviet official suggested why the British would have wanted to kidnap him in the first place. If he was, as he claimed, just an ordinary journalist on assignment to cover an international film festival, then what did the British hope to gain? Bitov never cleared up the puzzling question as to why he, or someone else, left his Toyota illegally parked near the Soviet embassy in London. When asked why he had delayed leaving England as long as he did, Bitov said he needed to save money for the airfare; he claimed that he did not have access to over forty thousand pounds sterling that he left in his account in a London bank. Then Bitov seemed to overplay his role a little by implying that he might have left the money behind willingly. He asked his audience to believe that "my Motherland is dearer to me than any amount of money."

In answer to a question from a Finnish journalist, Bitov went on to insist that statements critical of the Soviet Union published in his name were edited and indeed created by British security officials. Bitov expressed outrage at this shameless practice—obvious proof, he suggested, that censorship really does exist in the West.

The BBC, publishers, literary agents, and friends who tried to help him can certainly punch holes in Bitov's allegations. For my own part I can state that Bitov made many of the very same critical remarks about the Soviet Union to me personally in late June this year when we had dinner together in London. My wife and I were in Europe at the time conducting interviews with recent Soviet emigres for a book on the Soviet media which we are writing this year at the Wilson Center.*

When we explained our project, Bitov agreed promptly to meet us at Rule's, a restaurant not far from the Strand. He was clearly free to move about as he wished. He turned up alone and at the end of the evening travelled part of the way with us on the London Underground before getting off at his stop. He answered our questions willingly and seemed interested in trying to help. We did not offer him money, nor did he ask for any.

Bitov displayed genuine affection for Russian culture and the Russian people, but spoke very harshly about the Soviet bureaucracy. He said that middle and high level officials "are very privileged, sophisticated; they are used to dealing with foreigners, and good at being advertisements for the system." He spoke frankly about his own role and assured us that he himself had known how to present the system well and to follow the party line whenever the need arose during his own career. Indeed, he confessed that he had been afraid of being promoted further because he already enjoyed so many

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*We are grateful to the Earhart Foundation for a research grant that enabled us to travel to Europe. Neither the Foundation nor the Wilson Center is, of course, responsible for the opinions expressed and conclusions drawn in this article.

Commentary

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perks and privileges and worried that, if he received more, then he might not have had the moral courage to give them up.

Bitov had little respect for the Kremlin leaders, adding that his opinion was shared by almost all the people he knew in the U.S.S.R. He said that the Western perception of Chernenko as a lightweight was quite correct. Chernenko's rise to the top began as Brezhnev's chauffeur. In fact, "the chauffeur" was Chernenko's nickname [the joke here is that the old Russian word *kucher,* meaning "coachman" is derived from Chernenko's initials and the first syllable of his name: *K.U. Chernenko*]. Bitov said everyone he knew was convinced that Chernenko was merely a figurehead, and that the people running the show are primarily Foreign Minister Gromyko and Defense Minister Ustinov. Both men have a reputation for being "unpleasant people," especially Gromyko over the past seven years or so since he suffered a serious illness, perhaps a heart attack.

Bitov agreed that the prospect of nuclear conflict was unthinkable and that neither side could hope to "win" a nuclear exchange. However, he did not appear to consider the danger of war between the two countries very likely, in spite of the current level of rhetoric on both sides. Not unlike several emigres we have met, Bitov supported a hard line foreign policy for the United States in its dealings with the Soviet Union. When we asked him specifically about Soviet threats in response to the placing of land-based cruise missiles and Pershing IIs in Western Europe, Bitov laughed. He said that the older one gets, the more one fears death. The Kremlin leaders were old men, and very cautious. They were simply using threats and other propaganda tricks to try to frighten the West into acceding to their demands. He predicted that they would soon become more accommodating once they concluded that President Reagan had a good chance of being reelected.

To sum up, we covered a range of subjects in a free-wheeling discussion. Bitov's manner throughout was relaxed and cheerful, although he was obviously anxious about his wife and daughter, and his brother, a celebrated novelist who lives in Leningrad. He said he was careful not to hint at his plan to defect, but had transferred his savings account to his wife's name before leaving Moscow for the last time.

Our meeting with Oleg Bitov lasted only three hours, but I remain convinced that he was speaking honestly about his feelings and that he had no desire to return to the Soviet Union. The conclusion is inescapable that he was returned forcibly, or that some other means of applying pressure on him was employed to oblige him to return.

Perhaps concern, even a sense of guilt, about his wife and daughter made Bitov careless and provided an opening for someone to betray him. Those who have studied Soviet tactics with defectors say that family members are often used in efforts to trick them into returning. Much to our surprise, Bitov evidently hoped his family might be permitted to join him at some time in the future. In the meantime, he was planning to send his daughter a special gift: a video recorder.

From our own experience in Moscow my wife and I realized that a video recorder would create a sensation as a gift to anyone in the Soviet Union. They are in very short supply and those that are smuggled into the country by Soviet diplomats and other officials, together with blank tapes or tapes of Western movies and TV programs, sell for incredible amounts of money.

I asked Bitov how he could hope to get such a gift to his daughter. For the first and only time during our conversation Bitov became secretive and said only that he had his contacts. He seemed quite confident about the whole thing, but never explained why. His efforts to send his daughter a special gift might well have offered Soviet agents the opening they needed.

II

Let me now turn to the second question I posed at the outset, i.e., the reasons for the special attention being devoted to Bitov by the Soviet authorities.

One can certainly understand official Soviet concern about the considerable damage done by Oleg Bitov's defection and his informed analysis of the contemporary Soviet scene, notably his argument that in recent years the regime has been reverting to neo-Stalinist methods in its suppression of Russian cultural and intellectual life.

Bitov's broadcasts beamed to the Soviet Union by the BBC and Radio Liberty, together with his published pieces and his known intention to continue writing about his experiences in the Soviet Union, must have caused concern in Moscow. The CPSU is known to be particularly nervous about the rising popularity of Western radio broadcasts in the Soviet Union.

In addition, the very frequency of recent defections surely added urgency to the desire to make Oleg Bitov an example, as Voltaire said, "pour encourager les autres." Nevertheless, one is still left wondering why the Soviet government approved a special operation in the case of Bitov, while other emigres and some defectors continue to publish critical articles and books. After all, Bitov offered no revelations, only corroboration and illustrations of what we already know.

Obviously, someone high up must have ordered the successful attempt to get Bitov back. The Moscow news conference was also a high level affair. It was held in the press center of the Ministry of Foreign Affairs, organized by the Novosti news agency (a known KGB front), and introduced by Sergei Sergeyevich Ivanko, first deputy head of Novosti.

The name Ivanko seems to have meant nothing to Western commentators on the Bitov affair, but in fact

we know more about him than most other high level Soviet bureaucrats because he is the anti-hero of Vladimir Voinovich's satire *Ivankiada* (1976), i.e., the mock epic about Ivanko.

During the Moscow news conference Bitov is said to have been flanked by a Novosti official and Yuri Izyumov, first deputy editor-in-chief of the *Literary Gazette*. Duff Hart-Davis, who worked with Bitov when he prepared articles published in the London *Sunday Telegraph*, has written that "Bitov told me earlier this year that Izyumov is a major-general in the KGB."

But it may be a man who was not present at the news conference who holds the clue to this puzzle: the editor-in-chief of the *Literary Gazette*, Aleksandr Chakovsky. Now over 70 years old and a writer with novels about World War II and Soviet-American relations to his credit, Chakovsky has held his present position since 1962. He is a member of the CPSU Central Committee, a very influential position. Chakovsky has apparently chosen the *Literary Gazette's* international department as his own special bailiwick.

Bitov did not comment, but in fact the international news in the *Literary Gazette* not only follows a very hard line, but has also taken the lead in various disinformation campaigns. This suggests to me that Chakovsky may have some connection with the International Department of the Central Committee. If so, then he is in a very powerful position indeed. It is worth remembering in this context that Chakovsky supervised, and may have suggested, the more sophisticated format for the *Literary Gazette*, which was introduced in 1967. It was at this time that the Central Committee's new, high-powered International Department was established to coordinate a global effort in propaganda, disinformation, and economic destabilization. Since then the journalist cover has been widely used by top-level Central Committee and KGB operatives, particularly those working abroad.

It is clear that Chakovsky had much to lose by Bitov's defection and at the same time the authority to request and encourage a high level effort to get him back. The first word of Bitov's disappearance came from his newspaper. The *Literary Gazette* published a series of indignant pieces in late September and early October of 1983, including a personal appeal for his safe return by his mother (again, the use of close relatives). On October 12, 1983—that is, just over a month after Bitov had disappeared in Italy, but before his first public statement in London on October 25—the *Literary Gazette* published a rambling diatribe "from the editorial board" claiming that Bitov might well have been killed or kidnapped by the CIA.

Notice that there was no mention of British agents at this stage. This would indicate that Chakovsky and his colleagues did not know what had happened. Also interesting, even surprising, is the fact that the editorial board advanced the theory that the CIA's objective might have been to seek revenge for the leading role Bitov's newspaper had taken in "exposing" alleged American involvement in the plot to assassinate the Pope. So an implied connection with Agca and the Bulgarians was already being suggested at this early stage of the case.

Duff Hart-Davis of the *Sunday Telegraph* states outright that Bitov was sent to Italy in September of 1983 as a substitute for Iona Andronov, a colleague at the *Literary Gazette* and, more significantly, a full colonel in the KGB. Andronov had been denied a visa and so Bitov was commissioned to pick up whatever gossip and rumor he could that might implicate the CIA in the plot to assassinate the Pope. The fact that Bitov was travelling as a KGB stringer, and may have done so on previous trips abroad, explains the *Literary Gazette*'s anxiety that the CIA knew of his activities and had taken action against him.

One can easily imagine Chakovsky's anger and humiliation when Bitov turned up in London to announce he had defected. Bitov worked for Chakovsky, who must have been held ultimately responsible for clearing Bitov for foreign travel (a serious responsibility in the Soviet Union). Bitov rubbed salt into the wound by his attacks on the majority of Soviet journalists as "carefully trained, professionally skilled robots," who are "so conditioned by the system that they are no longer capable of recognizing the truth, let alone writing it."

It is possible that in the weeks immediately following Bitov's disappearance Chakovsky or other colleagues began to suspect the worst. In which case, the series of articles *Literary Gazette* published before Bitov's reappearance in London could be viewed as an attempt at damage control. Nevertheless, Chakovsky still had serious problems. He, or his subordinates, had allowed an unreliable colleague to defect, and one who apparently had some knowledge of the "Bulgarian connection."

This latter consideration must have raised Chakovsky's personal problem to the level of state security. The immediate cause for the KGB action against Bitov was, one must conclude, connected with the plot to assassinate the Pope. The emigre writer Anatoly Gladilin, a personal friend of Bitov, suggested recently in the Paris newspaper *Le Monde* that Bitov was kidnapped because he had agreed to assist Italian authorities in their investigation of the attempted assassination. According to Gladilin, Bitov refused to go to Italy in person because he feared KGB reprisals, but he did agree to provide a written deposition in the case of Sergei Antonov, the Bulgarian airline official who was indicted on conspiracy charges by an Italian judge on October 26.

Having had a chance to talk with Oleg Bitov in a free and friendly atmosphere, I feel especially saddened by his fate. I have no wish to make his situation more difficult than it already is, but I fear that his fate has already been sealed.

Book Review

By the Editor

In Love and War by Jim and Sybil Stockdale, Harper and Row, New York, N.Y., $18.95.

Faith, love, honor and horror are the themes of this remarkable husband-wife book in which they author alternate chapters. Faith sustains the husband during over seven years of unspeakable torture in a North Vietnamese prison camp and love keeps Sybil Stockdale from caving in at home, despite her knowledge of her navy flier husband's terrible ordeal.

One of the triumphs related in the book is the story of how Sybil became aware of the torture visited on the prisoners and who those prisoners were. Naval Intelligence devised a method of communicating from Sybil to Jim and from Jim to Sybil on invisible carbons. It was an ingenious but very high-risk scheme, which if discovered, she was warned by the Office of Naval Intelligence before her first message, "could lead to espionage charges."

When asked by Naval Intelligence to try the secret communication scheme, Sybil went through a time of intense soul searching. "It was," she relates in one of her chapters "nothing to decide lightly." Once again, faith, love and the almost extrasensory perception that existed between this close and intelligent couple prevailed. A channel of intelligence was established and the North Vietnamese never discovered it.

Back home, while Jim was undergoing intense physical abuse and agony, Sybil, sensing his mistreatment, became an angry fighter for action to relieve his plight. Disgusted with bureaucratic inaction in the Navy, the State Department, the White House and the Congress, she took the lead in forming the League of Wives of American Vietnam Prisoners of War.

The League then took the lead in lobbying for better treatment for their loved ones. Sybil traveled to Washington to bug the Chief of Naval Operations and the Chief of Naval Personnel, the State Department (notably Ambassador Harriman), and the president (Nixon) in the White House. Her opinion of some of the worthies she visited would curl your hair. When Clark Clifford succeeded McNamara as secretary of defense she writes, "I was glad to be rid of McNamara. In my opinion he was a smart theoretician who knew nothing about waging war....'I thought anybody who fights a war the half-baked way you have should know it can go on almost forever.' " No docile navy wife, this lady! She even traveled to Paris with a group of six League members to appeal to the North Vietnamese. She summed up that meeting in these words: "In retrospect, I realize that our visit was more for the publicity than the substance of our meeting. We knew the North Vietnamese were not reliable about keeping their word anyway. The central purpose of our visit was to spotlight in the world's press the situation our men were enduring."

Central to Sybil's lobbying were her efforts to spotlight in world opinion North Vietnam's refusal to observe the provisions of the Geneva Convention of 1949 Relative to the Treatment of Prisoners of War. When Jim brought up the question of the Geneva Convention to his captors in a complaint featuring "solitude, filth, and the unfinished medical work on his leg," the reply came swiftly: "You have no right to protest; you are a criminal and not entitled to Geneva Convention privileges. It is true that my country acceded to the Geneva Convention of 1949, but we later filed an exception against those captured in wars of aggression.... You have medical problems and you have political problems, and in this country we take care of medical problems only after political problems are solved." Sybil had been given a similar answer in Paris.

The chairman of the Standing Committee on Law and National Security, Professor John Norton Moore, comments on the Geneva Convention of 1949 in his book *Law and the Indo-Chinese War* (Princeton University Press, 1972), as follows:

> The war has pointed up the need for revision and strengthened application of the laws of war. North Vietnam's blatant refusal to observe the Geneva Convention in its treatment of American prisoners of war and the excesses with which both sides have conducted the war...indicate that revision and greater efforts at implementation of existing Conventions are long overdue.

Someone must have listened to our chairman, because in 1977 Protocols to the Geneva Convention were signed and are now under military review by the Joint Chiefs of Staff. The Protocols have not yet been ratified by the United States. Perhaps Admiral Stockdale and his militant wife should take a hand in lobbying for ratification, if they think the Protocols an improvement over the 1949 Convention which remains intact and in effect.

Admiral Stockdale is now a professor of philosophy at Stanford University. One needs to be both a philosopher and a psychologist to negotiate treaties and conventions with communist nations as adversaries. Your reviewer went through three years of internal conflict when he was the American Navy's sole representative on the team which negotiated the same 1949 Geneva Convention about which Sybil and Jim indicted the North Vietnamese for non-observance.

The internal conflict (as our committee member, Ambassador Max Kampelman, can testify) stems from the agonizing questions, such as: Will the communist nations participate in the drafting process? Answer in the case of the '49 Convention, No! Will the communist nations observe the conventions once signed and ratified? Answer, in the case of North Vietnam, No! Am I spinning my intellectual wheels to participate in what may be, as Admiral Stockdale so eloquently described the attack on our destroyers in the Bay of Tonkin, "a Chinese fire drill"?

In the case of the '49 Convention, the Soviets did come to the International Red Cross convention in Stockholm in 1948 with a full delegation but refused to participate in the proceedings because, they said, "the representatives of Fascist Spain were present." The next year, Spanish representatives still present, they came to Geneva with a host of amendments and full participation. Would they observe the Convention in case of war? Evidence suggests they have not in Afghanistan—a war they describe in the same terms the North Vietnamese informed Jim Stockdale.

The Soviet attitude is perhaps best described in Alexander Solzhenitsyn's *Gulag Archipelago* (Harper and Row, New York, N.Y., 1973), where the punishments described are just as beastly and inhumane as those practiced on our prisoners in North Vietnam. They were more subtle than the rope treatment accorded Jim Stockdale and others but the object was the same: break the prisoner down, get him to confess to anything we want for propaganda purposes. Said Solzhenitsyn:

> It turned out that the U.S.S.R. did not recognize as binding Russia's signature to the Hague Convention on war prisoners [the 1907 precursor of the 1949 Geneva Convention]. That meant that the U.S.S.R. accepted no obligations at all in the treatment of war prisoners and took no steps for the protection of its own soldiers who had been captured. The U.S.S.R. did not recognize the International Red Cross. The U.S.S.R. did not recognize its own soldiers of the day before: it did not intend to give them any help as POWs.

So what's new? The U.S.S.R. doesn't give any better recognition to the problems of POWs in Afghanistan—its own, or Afghan freedom fighters!

For this reviewer, the Stockdale book brings back poignant memories, for in a very real sense my mother took the part of Sybil when my dear brother was wounded and captured by the Japanese at Cavite on December 10, 1941. For over four years he went through much of the same kind of treatment in prison camps as Jim Stockdale, until he succumbed to disease and starvation. At the time I was an intelligence aide to President Roosevelt who promised that my brother would be gotten out. The president would come to the Map Room at the White House and, to my intense embarrassment, say, "Well, I got another letter from your mother today. She doesn't think I'm running the country very well, especially as it concerns prisoners of war."

After the war I devoted three years of my life to work on the revision of the Hague Convention of 1907 and the Geneva Convention of 1929. Very apparently, that work of a great many people, headed at Stockholm by Ambassador Basil O'Connor, did not help Jim and Sybil Stockdale. But they emerge from the pages of this book as fighters for right. Perhaps they will join, as I did, efforts to improve the lot of future prisoners. If so, they will be assailed by the same doubts as evidenced in another story in this issue on Soviet violations of treaties, negotiated in some cases by other members of this ABA committee. I pray they will not give up now that they are happily reunited. Too frequently our conventions and treaties are negotiated by individuals who cannot "bear witness." The Stockdales can.

Stanford and China

In our June 1984 issue we reviewed *Broken Earth* by Steven W. Mosher which was an account of life in rural China by a cultural anthropologist who was allowed by the PRC to carry out research in a Chinese rural commune near Canton. Because they considered the findings of Mosher unpalatable, the powers that be in the PRC brought enormous pressure to bear on Stanford University and threatened to cut off all cultural exchanges unless Mosher was disciplined. Mosher who was a doctoral fellow at Stanford was expelled from the program by a vote of the faculty.

But the story has not ended. *The Washington Times* recently printed the following editorial about the status of the Mosher case.

> A member of the Chinese Academy of Social Sciences has sent a letter to the president of Stanford University warning that cultural exchanges between the People's Republic and America could suffer if the fate of a Stanford graduate student who criticized Red China were not resolved to Peking's satisfaction.
>
> Wang Ping, the Chinese honcho, was referring to Steve Mosher, a graduate student in anthropology who went to Red China in 1979 and 1980 to study rural life. Mr. Mosher's book, *Broken Earth*, presents a horrendous portrait of life in the People's Republic. Stanford fell over itself in an effort to kowtow to the communists by dismissing Mr. Mosher after Peking accused him of, among other things, stealing state secrets.
>
> The solicitous Mr. Wang advised Stanford: "For the future normal and beneficial exchange between our two countries, I trust that you will make a correct judgment based on the facts and properly handle this matter." In this context, "correct judgment" means denying Mr. Mosher's appeal for reinstatement.
>
> Leaving aside the question of academic freedom—an argument, by the way, that figures prominently in Mr. Mosher's quest for reinstatement—the idea of some political hack suggesting that the entire range of U.S.-Sino cultural exchanges hinges on Stanford's "correct judgment" is intolerable. If that's the case, let's just tell Peking to pack up its traveling dog-and-pony show and hit the road.

Anti-Terrorism Laws Passed by Congress

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In supporting the enactment of H.R. 6311 as passed by the House, Senator Denton, in a speech on the floor of the Senate on October 5, pointed out that the amended legislation knocked out a provision that would have permitted the attorney general, in consultation with the secretary of state, to admit into the United States, without regard to the Immigration and Naturalization Act, aliens who provide information about terrorism. The House version also left out a provision that would have made the Freedom of Information Act, the Privacy Act, and the Administrative Procedures Act, inapplicable to the reward legislation.

Senator Denton noted, however, that the House bill "does grant the power to the secretary of state and the attorney general, when it is determined that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, to 'take such measures in connection with the payment of a reward as being necessary to effect such protection.' " Senator Denton said that he read this to mean that the attorney general or the secretary of state could withhold the identity of a reward recipient or the immediate members of his family, notwithstanding the Freedom of Information Act and the Privacy Act.

The Senate also voted to approve S. 2623, the Aircraft Sabotage Act which was designed to implement the obligations assumed by the United States in ratifying the 1971 Montreal Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation; and it also voted to approve S. 2624 which was designed to implement American adherence to the International Convention Against the Taking of Hostages, adopted by the United Nations on December 17, 1979. The House passed these measures in effect by folding them —with amendments which the original sponsors considered quite secondary—into the Comprehensive Crime Control Bill of 1984, which was passed by Congress during the closing hours of the session.

In the enactment of the recent round of anti-terrorist legislation, Senator Jeremiah Denton, who has become one of the few real experts in Congress on terrorism in general, played a role of pivotal importance. If laws designed to beef up the battle against terrorism are enhanced over the coming period, it will be thanks in no small measure to the efforts of the Senate Subcommittee on Security and Terrorism which Senator Denton chairs.

Soviet Arms Control Violations

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protect the national security against such flagrant treaty violations.

In concluding its report the GAC said:

> The Soviet Union's actions since 1958 concerning arms control agreements demonstrate a pattern of pursuing military advantage through selective disregard for its international arms control duties and commitments.
>
> The committee found recurring instances of Soviet conduct involving deliberate deception, misdirection, and falsification of data during negotiations.
>
> Soviet denial activities significantly increased over the last quarter century and today are challenging U.S. verification capabilities despite improvements in U.S. verification technology. Deliberate Soviet efforts to counter U.S. national technical means of verification strongly indicate a Soviet intention to persevere in circumventing and violating agreements.
>
> The United States has never had a long-range, comprehensive strategy to deter and if necessary initiate measures to offset Soviet arms control non-compliance. Development of a U.S. arms control policy that anticipates Soviet behavior in light of the historical compliance record was beyond the scope of the committee's review. Nevertheless, the development of means to safeguard the U.S. against Soviet non-compliance is essential if the arms control process is to avoid being further undermined, if it is to have favorable long-term prospects, if it is to build trust among nations, and if it is to contribute to U.S. national security and the cause of peace.